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March 8, 2012

Re: Creation of a Low Power FM Radio Service (MM Docket 99-25)

Peter Doyle, Chief, Audio Division
James Bradshaw, Deputy Chief, Audio Division

Dear Mr. Doyle and Bradshaw:

There has been a lot of discussion recently about the future authorization of LP-10 stations including a reported comment made by Chief Doyle at a trade show regarding LP-10 stations. REC would like to take this time to address our position on LP-10 and 250-watt stations.

REC feels that we need a sub 100-watt LPFM service that can be placed in urban areas where a non-directional LP-100 station would not be able to fit. We do feel however that the current LP-10 station model is not an efficient use of spectrum in all situations.

We feel that we should be able to provide a more flexible LPFM service for sub 100-watt applications. If a location is properly spaced for LP-10, we should then attempt to extend the interference contours of the LPFM facility to the point it reaches the other facility's service contour (including those that are artificially extended through the "buffer zone" process).

In recent correspondence with the Commission, Todd Ulrick of Common Frequency points out that there is a potential for LP-10 in the New York metropolitan area. REC agrees that this can be done with the removal of the requirement for LPFM stations 100 watts or less to protect the IF channels (+/- 10.6 and 10.8 MHz) of other facilities, a change that is strongly supported in the

industry as well as the dismissal of translator applications and the availability of a second adjacent waiver. However, we feel that if there is enough room for a LPFM to expand , they should be allowed to.

For example only, as a reference point, we looked at the geographic coordinates for the Empire State Building[1] (40-44'55" NL 73-59'10" WL) and we were able to find that with a second adjacent channel waiver, dismissal of metro market translators and the elimination of IF restrictions, channel 240 (95.9) would be available at this location as an LP-10. We have further found that we could increase this facility to a non-directional 40 watts at 30m HAAT facility at this location and it would still not create any overlap. We feel that this hypothetical LPFM station should be permitted to operate at 40 watts. This will assure full spectrum utilization, improved service and population gain and therefore would be in the public interest.

At the intersection of Hollywood & Vine in Hollywood, CA (34-6'7" NL 118-19'37" WL), by excluding the metro market translators, removing IF channels and applying second adjacent channel waivers, we were able to find four LP-10 channels: 244 (96.7), 248 (97.5), 256 (99.1) and 268 (101.5). Channel 268 is also available as a LP-100 at this location. In addition, channels 248 and 256 can actually operate as 80 watt stations and still avoid prohibited overlap.

I have enclosed a chart that provides LP-FLEX distance separations for power levels between 10 and 100 watts in 5-watt increments. This chart has also been incorporated in a new LP-FLEX option on the REC LPFM Channel Search Tool (http://cdbs.recnet.net:8080/lpfm.php ). This chart shows how we can implement an urban LPFM service utilizing a maximum amount of spectrum without causing any overlap and stay compliant with the provisions of the Local Community Radio Act.

We also feel that in cities such as San Diego, Tucson and El Paso, the parameters for 50 watts should be used instead of 100 watts as LPFM stations within 150km of the Mexican border are limited to 50 watts.

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[1] - A LP-10 or even a flexible 40 watt LPFM station would not be available on the top of the Empire State Building as a 1 watt facility would exceed the maximum field strength for a 40 watt LPFM facility (4.438km). We only used the address as a geographic reference. While LPFM facilities may not be practical in mid-town Manhattan due to the building heights, LPFM would be effective in other areas of the city.

REC also remains committed to the establishment of an LPFM service exceeding 100 watts (e.g. a 250 watt service). We feel that while we can support a 250 watt non-directional service under the current LCRA regulations and there are many suburban and rural areas that can benefit from that service, we feel that a more spectrally efficient service could be provided through making the LPFM service have the same engineering rules as FM translators would better serve the public interest. Such a method would require an amendment of the Local Community Radio Act which can be potentially years away.

With that said, I just want to reiterate that while REC does consider the establishment of a 250-watt LPFM service to be important to the overall growth of community radio, we feel that a maximized urban service such as what we are proposing in this version of LP-FLEX as well as the flexibility of second adjacent channel waivers, the removal of the unnecessary IF restrictions and the use of contours instead of full facilities to protect FM translators and Channel 6 facilities (full and low power) are our highest priorities for this upcoming filing window.

If you have any further questions, please do not hesitate to contact me.

Sincerely yours,

Michelle (Michi) Eyre
founder, REC Networks

cc: Todd Ulrick, Common Frequency
Brandy Doyle, Prometheus Radio Project
Don Schellhardt, The Amherst Alliance
John Broomall, Christian Community Broadcasters
Ex-parte filing, MM Docket 99-25